

# EXHIBIT 60

to Verified Complaint

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MONTANA  
MISSOULA DIVISION**

FLATHEAD WARMING  
CENTER,

Plaintiff,

vs.

CITY OF KALISPELL,

Defendant.

Case No. \_\_\_\_\_

**AFFIDAVIT OF JOHN WILLIAM  
RAUSCH IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

I, John William Rausch, first being duly sworn, state as follows:

1. I am a citizen of the United States and a resident of Montana.

I am over eighteen years of age and competent to make this affidavit. I knowingly and voluntarily submit this affidavit in support of Plaintiff's Verified Complaint based on my personal knowledge of these facts, and I would competently testify to them under oath.

2. I am a full time employee of the Flathead Warming Center.

My job title is Resource Manager. My role is manager of the facility. I supervise shift staff. During the summer, I supervise summer staff. I am also a licensed addiction counselor. I assist our guests in coordinating

and collaborating with social service and medical providers. I have developed programming, such as our “roadmap” program to help guests improve their situations with an ultimate goal of housing. I co-manage day to day operations during the day year round.

3. I have worked here since late December 2023.

4. If the Warming Center closes, I will eventually lose my job.

5. If the Warming Center closes, I will have to find another job.

If I found another job, there is no guarantee that I would be able to return to the Warming Center.

6. I would prefer to continue working at the Warming Center than return to working for addiction counseling agencies.

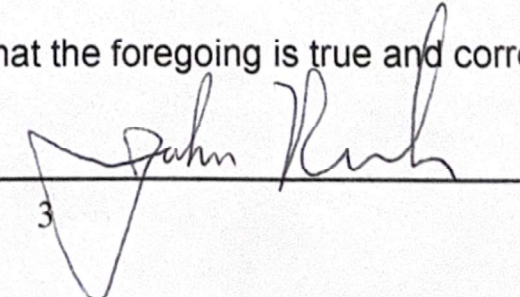
7. In my experience, the consequences of closing the Warming Center will be severe for the guests. The Warming Center acts as a conduit for people needing mental health and addiction counseling. It will be more difficult

difficult for people in need of assistance if they don't have the Warming Center linking them to these outside services. Many people would be without adequate food and clothing. And being without shelter in Kalispell is physically dangerous.

8. During the revocation hearing, there were people saying we are not responsive to neighbors. I am the person who answers the phone. We received a call from a neighbor that was a complaint about a guest who had in fact spit on this neighbor. I spoke to the neighbor to let him know what the Warming Center would do, which is we gave that person a season ban and then converted it to a lifetime ban from the Warming Center. A staff member advised calling the police. We have a list of people who have been banned for improper behavior, including harassing a neighbor. When we have specific information that we can take action on, we do. We cannot take action without specific information.

9. I have personally gone out into the neighborhood when I have learned of a homeless person loitering somewhere. I have gone and spoken to those people, even when they had no connection to the Warming Center. That happened several times this past summer.

I declare under penalty of perjury that the foregoing is true and correct.

  
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John William Rausch

STATE OF MONTANA )

COUNTY OF Flathead )

SUBSCRIBED AND SWORN TO  
before me this 7 day of October, 2024 by:

Jerie Betschart  
Signature

Notary  
Title

